

Message Text

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ORIGIN OES-07

INFO OCT-01 ARA-06 ISO-00 FEA-01 ACDA-07 AGRE-00
AID-05 CEA-01 CEQ-01 CG-00 CIAE-00 EPG-02 COME-00
DLOS-09 DODE-00 DOTE-00 EB-07 EPA-01 ERDA-05
FMC-01 TRSE-00 H-01 INR-07 INT-05 IO-13 JUSE-00
L-03 NSAE-00 NSC-05 NSF-01 OMB-01 PA-01 PM-04
PRS-01 SP-02 SS-15 USIA-06 /119 R

DRAFTED BY OES/OFA/FA:LLSNEAD:MAF
APPROVED BY OES/OFA/FA:ALZUCCA
L/OES - M. HOINKES
ARA/AND/V - T. SONANDRES
-----060720Z 039488 /16

P 052124Z MAY 77
FM SECSTATE WASHDC
TO AMEMBASSY CARACAS PRIORITY
INFO AMEMBASSY MEXICO PRIORITY

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E.O. 11652: N/A

TAGS: EFIS, VE

SUBJECT: REQUEST FOR FISHING RIGHTS--VENEZUELA

REF: A) CARACAS 4086; B) STATE 175860

1. DEPARTMENT REQUESTS ADDITIONAL DETAILS REGARDING LETTER
DATED APRIL 5 FROM VENEZUELAN OFFICIALS REFERRED TO IN
REF A. SPECIFICALLY DEPARTMENT REQUESTS NAMES OF 18 U.S.
FLAG VESSELS, WHICH ACCORDING TO THE LETTER, HAVE BEEN
AUTHORIZED TO SELL CATCHES IN VENEZUELA AND TO ACQUIRE FUEL
AT NATIONAL PRICES. DEPARTMENT WOULD APPRECIATE ANY AD-
DITIONAL INFO EMBASSY CAN OBTAIN ON DISCREET BASIS RE
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EXTENT OF U.S. FISHING ACTIVITIES OFF THE GOV COAST IN-
CLUDING TYPE OF SPECIES, ESTIMATED CATCH LEVELS, AMOUNT
OF CATCH BEING SOLD IN VENEZUELA AND ANY INFO ON EXTENT
OF REFUELING OF U.S. FLAG VESSELS.

2. IN MID-FEBRUARY 1977 THE DEPARTMENT PROVIDED THE
VENEZUELAN EMBASSY, AT ITS REQUEST, A COPY OF THE FISHERY

MANAGEMENT AND CONSERVATION ACT OF 1976 AND A SUMMARY STATEMENT CONCERNING POSSIBLE FISHING BY THE GOV IN THE U.S. ZONE. THE DEPARTMENT STATED IT WOULD BE WILLING TO NEGOTIATE A GIFA WITH THE GOV, BUT EMPHASIZED THAT THE CONCLUSION OF SUCH AN AGREEMENT IS NOT ANTICIPATED

TO RESULT IN ALLOCATION TO THE GOV OF ANY SURPLUS AVAILABLE FOR FOREIGN FISHING IN THE FORSEEABLE FUTURE. WE NOTED THAT A GIFA DOES NOT GUARANTEE A FOREIGN FISHERY, BUT ONLY ESTABLISHES THE PRINCIPLES AND PROCEDURES UNDER WHICH A COUNTRY IS ELIGIBLE TO APPLY FOR A PORTION OF THE SURPLUS, IF ANY, AVAILABLE TO FOREIGN FISHING. WE ALSO PROVIDED THE EMBASSY WITH CRITERIA NOTED IN PARA 4 OF REF B CONCERNING THE DETERMINATION OF THE TOTAL ALLOWABLE LEVEL OF FOREIGN FISHING PERMITTED ON FISHERIES UNDER U.S. MANAGEMENT AUTHORITY.

3. ON APRIL 15, 1977 THE EMBASSY OF VENEZUELA PRESENTED A NOTE TO THE DEPARTMENT REQUESTING PERMISSION FROM THE USG TO TRAIN VENEZUELAN FISHERMEN WITHIN THE U.S. ZONE IN THE AREA OFF BOSTON. WE PROVIDED THE FOLLOWING REPLY TO THE GOV EMBASSY ON APRIL 25, 1977. BEGIN TEXT:

A. THE DEPARTMENT OF STATE REFERS TO THE EMBASSY OF VENEZUELA'S NOTE NO. 770-610 OF APRIL 15, 1977 REQUESTING THAT THE CORPORACION DE PESCA, C.A. AND THE FUNDACION LA SALLE BE ALLOWED TO CONDUCT TRAINING OF PERSONNEL IN FISHING TECHNIQUES WITHIN THE FISHERY CONSERVATION ZONE OF THE UNITED STATES.

B. ANY ACTIVITY INVOLVING THE CATCHING, TAKING, OR LIMITED OFFICIAL USE

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HARVESTING OF FISH IN COMMERCIAL QUANTITIES, OR THE USE OF FISHING GEAR CAPABLE OF CATCHING, TAKING, OR HARVESTING FISH IN COMMERCIAL QUANTITIES, ARE CONSIDERED TO BE FISHING WITHIN THE MEANING OF THE FISHERY CONSERVATION AND MANAGEMENT ACT OF 1976. THUS, FISHING CARRIED OUT FOR THE PURPOSE OF TRAINING FISHERMEN WOULD REQUIRE A PERMIT FROM THE UNITED STATES GOVERNMENT ISSUED UNDER A GOVERNING INTERNATIONAL FISHERY AGREEMENT (GIFA) PURSUANT TO THE ACT.

C. SINCE THE UNITED STATES AND VENEZUELA DO NOT HAVE SUCH A FISHERY AGREEMENT, THE DEPARTMENT OF STATE IS NOT IN A POSITION TO RESPOND FAVORABLY TO THE VENEZUELAN REQUEST. MOREOVER, THE REDUCED ABUNDANCE OF FISH STOCKS OFF THE COASTS OF THE UNITED STATES HAS SUBSTANTIALLY REDUCED THE AMOUNT OF SURPLUS AVAILABLE TO COUNTRIES WHICH HAVE SUCH AGREEMENTS AND WHICH HAVE CONDUCTED TRADITIONAL FISHERIES OFF THE COAST OF THE UNITED STATES. THE UNITED STATES IS PREPARED TO NEGOTIATE A GOVERNING INTERNATIONAL FISHERY AGREEMENT WITH VENEZUELA WHICH

WOULD MAKE IT POSSIBLE FOR VENEZUELA TO APPLY FOR A PORTION OF ANY IDENTIFIED SURPLUS AVAILABLE FOR FOREIGN FISHING. HOWEVER, SINCE VENEZUELA HAS NOT CONDUCTED A TRADITIONAL FISHERY OFF THE COAST OF THE UNITED STATES, THERE CLEARLY APPEARS LITTLE OR NO OPPORTUNITY FOR VENEZUELA TO QUALIFY FOR ANY SURPLUS FISHERY RESOURCES

IN THE FORSEEABLE FUTURE. END TEXT.

4. EMBASSY SHOULD INFORM GOV OFFICIALS THAT DEPARTMENT REMAINS WILLING TO NEGOTIATE A GIFA WITH VENEZUELA. EMBASSY MAY DRAW ON PARA 2 OR 3 ABOVE AND PARA 4 OF REF B IN NOTING THAT CONCLUSION OF SUCH AN AGREEMENT WILL NOT GUARANTEE VENEZUELA A FISHERY OFF THE U.S. COAST AND, IN VIEW OF REDUCED STOCK CONDITIONS AND ABSENCE OF ANY TRADITIONAL FISHING BY GOV OFF U.S. COAST, DEPARTMENT DOUBTS THAT VENEZUELAN VESSELS WOULD QUALIFY LIMITED OFFICIAL USE

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FOR ANY SURPLUS FISHERY RESOURCES OFF THE U.S. COAST IN THE FORSEEABLE FUTURE.

5. FYI: DEPARTMENT WILL POUCH DRAFT TEXT OF US/VENEZUELAN GIFA TO EMBASSY ASAP FOR CONSIDERATION OF GOV. AFTER GOV REVIEW OF DRAFT AGREEMENT, DEPARTMENT WOULD BE PREPARED TO CONCLUDE AND SIGN THE AGREEMENT IN WASHINGTON. END FYI. CHRISTOPHER

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